

**Summarized Sworn Detainee Statement**

***The Personal Representative made the following statement on behalf of the Detainee, who was present for the proceedings.***

The fatwa was one of the reasons I went to Afghanistan, but it was not the major reason. The fatwa was asking for help for Afghanistan, because it was an Islamic country. I went to help civilians, not to carry a weapon or fight. I only intended to be gone from my work at the Defense Department for one month.

When I got there, I found everything did not look right, not organized, not civilized as it was described to us. I started to wake up and ask myself, what am I doing here? Strange things happened, people would hit me and call me Wahabi, Wahabi. The Afghan people do not like Wahabis and they are considered big enemies because their beliefs are different. The Afghans hit women and claimed they were the Islamic Police. Anyone without a beard they would put in jail. They condoned drug use and even legalized it, even for students.

I am a married man with children. I am an only male child with two parents. My parents are both in poor health. My children have health problems too. One has kidney problems and is in the hospital all the time and my daughter has a broken thigh.

For those reasons I could not stay in Afghanistan any longer. I found myself in a big mistake. So I called an Afghani person who said he would help me get to Pakistan. From the first week I was there I knew it was a mistake. So I called this guy to help me get out. So, while I was there, I was unable to provide any help, I did not carry a weapon or intend to fight anyone.

While in Saudi Arabia, I saw media presentations about Afghanistan, showing how things were. When I got there, things were totally different and wrong. So, I think this media was just to get Saudi money and contributions.

The most important thing is that I had no intention to fight against the United States or any others.

My father is a General in the Saudi Army and participated in the Gulf War with the Americans. America gave us big help; otherwise Saddam would have taken over Saudi Arabia. We are very grateful people and cannot do anything against the United States.

When I was captured, I talked to the interrogators. I told them that the problem the United States has because of the 9/11 attacks is so overwhelming. Because of that, I do not blame the United States for my capture; I see the reason for it. All the time I have been here I have been cooperative. I never had hatred in my heart or any violent behaviors.

*The Detainee then made the following statement.*

I would like to thank the members for allowing me to talk with you and try to defend myself.

As far as my situation in Afghanistan, I went there only to see the country, not to fight. It was just to help the civilians there. When I got to Afghanistan, I found out what I had heard was not the truth. I committed a big mistake against my country, my family, kids and parents. I tried to fix that mistake by trying to leave as quickly as I could. Circumstances were very hard, which made the situation worse. I was caught between a rock and a hard place and didn't know what to do. I was like someone in the water, trying to get to the shore. I wanted to find a way out of that mess.

As far as being an enemy combatant, from the definition that was read to me, maybe in the beginning I was supporting the Taliban's call for Muslims, just like any other Muslim. Once I got to Afghanistan, I found out it was not what I thought or what they told me in Saudi Arabia. They said it was a Muslim country and we should help these Muslim people, but it was to the contrary. I did not give them any assistance, whatsoever.

The Taliban was not a good country, and if I were to go back to Saudi Arabia, that's what I'd say. For me to be classified as an enemy combatant, I have not provided any support to them whatsoever. Maybe I did make a mistake by going over there, but I realized I made a mistake and was trying to correct it. I didn't want to continue making the mistake.

I was in Afghanistan when it got hit, and that was even more reason for me to leave the country.

As far as my stay at the guesthouse, a taxi brought me there. The house belonged to the Taliban and the taxi driver told me the people were Arabs and he took me inside. The Taliban people told the driver to go back now that they had me.

The house was free. I tried to see if I could fit in, but I did not feel right in that environment, so I started trying to figure out the best way to get out of there. The uprising started in the country, and we were prevented from leaving the safehouse. They said it was too dangerous for the Arab people to go out.

My presence in that house does not indicate that I support the Taliban or their movement. If the President of the Tribunal went to Italy and stayed in a hotel, do we say that he is a Mafia member? We wouldn't say that and it's not true. We are the first people against the Mafia. The fact that I was in their house doesn't mean I helped them.

My capture by the Pakistani police was a natural thing because I crossed the border. It was a wrong move, but I was trying to correct my first mistake of going to Afghanistan.

by trying to flee the country, even if it was illegal. I was captured by myself, not with a group of people.

I did not support or help the Taliban. Initially I wanted to help the Muslims, but everything was false.

As far as my big mistake, three years of my life in this prison is more than sufficient punishment for me. I hope that the President looks at the human side of my situation, as far as my family is concerned. My kids ask their mother, "where's my Dad, when is he coming back?" When the kids are attending weddings back home, they are asked by other kids, "where are your parents?" "Where is your father?" I am fearful about what kind of mess, psychologically, that is going to be for the kids. My presence in the prison here has made me appreciate my kids and how I should take care of them, whenever I leave this prison.

I hope the President will remember my kid who has a kidney problem and to consider that when you are making your decision.

Please excuse me for taking too much of your time.

Tribunal President: No apology necessary, we are here today focused on you.

**Personal Representative's Questions to Detainee**

Q: This is about taking the taxi to the house. When you got in the taxi, did you ask the taxi driver to take you to this house, or did he take you there because he knew that's where other Arabs were?

A: When we went to the city, Herat, the taxi stopped at the Taliban government offices. The taxi driver speaks the Afghani language and I don't understand it. The taxi driver said "Arab, Arab" which was a signal to me that the people spoke Arabic. The taxi driver went into the Taliban office for a few minutes, came back, hopped in the taxi and drove me to the Arabic house.

**Tribunal Members Questions to Detainee**

Q: Prior to going to Afghanistan, you said you worked for the Saudi Defense Department?

A: Yes, I was a civil person there.

Q: What was your position?

A: Clerk.

Q: Your responsibilities were, what?

A: When people would try to join the Defense Department, I would take their name and compile a list of names of all people applying for jobs there.

They have training for all the people, so I would sort them out, some in the Air Force, some in the Navy...Air Defense. I would get the list of people that were supposed to join and I would take the applications and put the information on different forms and submit to the different departments.

Q: How long have you had this position?

A: Eight years.

Q: Along the way, have you had any military service with the Saudi Armed Forces?

A: No.

Q: So, you've never received any military training?

A: No, I did not.

Q: Referring to the fatwa issued by Sheik Hamoud, did you personally hear that or was it something you read in the paper or heard on television?

A: I found it on the internet.

Q: What exactly did it say?

A: I don't recall exactly. It said to help the Taliban because the Taliban was a Muslim country. That was not the major reason I went there.

Q: I know, but I wanted to see if you remembered if it said that a person should go there himself, a person should give money...what kinds of things?

A: To help the Taliban, religiously and financially.

Q: Was there any mention made of fighting against the Northern Alliance?

A: It's been three years and I do not recall.

Q: You didn't go there with the intent to fight at all, right?

A: Never.



Q: How did you know where to go in Afghanistan? Did you have help arranging your journey?

A: When I decided to go to Afghanistan, there were a lot of facilitators to help me go. There were so many Afghani people there, (so I thought) they could help. I went to the souk (marketplace or bazaar), and found an Afghani guy there and asked him how to get to Afghanistan from Saudi Arabia. He was an Afghan in Saudi Arabia, so I asked how he would go to Afghanistan. He said I could either go through Pakistan or Iran. I asked how to go through Iran. He said I should go to a city called Mashhad (Iran), and take a taxi to the Afghanistan border. That's the way I went.

Q: Your original intent was only to be gone for 30 days?

A: It was even less than 30 days when you consider travel time.

Q: Did you explain all this with your family and discuss this decision with them, or did you go without telling them what you were doing?

A: I never explained it to the family. Had I explained it to them, they would have refused the whole idea, so I hid the information from them. I wanted to do it on my own.

Q: You realized it was a particularly dangerous time to go to Afghanistan, correct?

A: I knew that, but my religious feelings and commitments pushed me in that direction.

Q: How long did it take to get from Saudi Arabia to the house in Herat?

A: One day.

Q: How long did you stay in the guesthouse?

A: Approximately 25 days.

Q: What are some of the things you did while you stayed there?

A: The first week, I went back and forth to the souk, the market, to see what was going on and to get familiar with the area. After that, they prevented us from leaving the house because the problems started. I was like a prisoner in that house. I couldn't leave or do anything else. That's when I started to think about the best way to get out and leave the country.

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- Q: In exchange for you staying in the house for free, did the house manager give you responsibilities you'd be expected to perform?
- A: No, they never did.
- Q: How many other people were guests in the house with you?
- A: It varied from seven to nine people. Some would come and others would leave.
- Q: But there was a house manager there all the time?
- A: Yes, there was.
- Q: He did not ask the guests to assist with the duties of the house?
- A: No, an Afghani guy did the cooking and the clean up. It is a small house, and didn't need a lot of people to work there.
- Q: Did the house manager ask you to leave your passport, money and belongings there for safekeeping?
- A: I don't recall that, but it is impossible that I'd give my passport and money to someone else.
- Q: So, you had it with you at all times then?
- A: Yes, I always had the passport and the money, and you have them in your possession now.
- Q: You were there for 25 days, the first week you were allowed to go to the market and after that you couldn't leave the house?
- A: That is true.
- Q: So, when you were a prisoner in the house, what did you do the rest of the time?
- A: There was nothing to do there. I was sleeping and when I wasn't sleeping, I was asking people how to get out so I could go back to Iran and my...
- Q: Did you ever see any Taliban soldiers or weapons while you were at the house?
- A: There were soldiers standing guard.
- Q: With weapons?

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A: Yes.

Q: To prevent you from leaving?

A: I believe they were guarding the place so no one could get in.

Q: If the presence of Arab people was a concern to them, why wouldn't they try to get you to leave instead of making you stay?

A: To my hometown, or to a different country?

Q: Away.

A: Whoever escaped from that house, it is considered that they ran away from battle and that is a big issue that will be punished. They have a fatwa stating that anyone who leaves that house is open for punishment, according to their beliefs and religion. That's why I never asked the Arabs how to get out; I asked the Afghani people [instead].

Q: So, leaving the house is like running away from the battle, but they did not ask any of you to fight for them?

A: The manager told me to go and fight. There were other people coming into the house and the manager would tell them to go fight. Some went out to fight, but I never did.

Q: How did you finally leave the house to start your journey toward Pakistan?

A: There was an Afghani guy who came to the house and he spoke Arabic. I was kind of hesitant to ask him how to get out, but I finally decided it was the only way to find out how to get out, so I asked him. The Afghani brought another Afghani guy to help me out. The second Afghani guy is the person who took me on a very long trip to Pakistan.

Q: How long did it take?

A: It was very long. We stayed at one place for 17 days and we stayed at another place for 10 days. He was hiding me with Afghani families.

Q: Eventually, you crossed the border into Pakistan with your Afghani guides?

A: He brought me to the border on a motorcycle. The guy with the motorcycle is the guy that took me to the bus station in Pakistan.

Q: Was it at the bus station where the Pakistan authorities confronted you?

- A: No, it wasn't at the station, I already hopped on the bus and the bus took off. (It was) Past the second point of inspection, about 50-60 kilometers.
- Q: You had your passport with you at the time?
- A: Yes.
- Q: Even though the Pakistani police saw you with your passport, they arrested you anyway?
- A: Yes. They wanted money.
- Q: If you had given them money, they would have let you go?
- A: I wouldn't know that.
- Q: They just wanted money for capturing you?
- A: That's what I meant.
- Q: They put you in a Pakistan jail for a time?
- A: Yes.
- Q: Did any Saudi Embassy representative come see you?
- A: Yes.
- Q: Did he make any offer to try to help you?
- A: He took my name, took off, and I never saw him after that.
- Q: How long were you in the Pakistan jail?
- A: Approximately one month.
- Q: Then the Pakistanis turned you over to the Americans?
- A: Yes, then they brought me over here.
- Q: At any time during your journey from Saudi Arabia to Afghanistan, did you ever come into contact with any people you learned to be al Qaida affiliates?
- A: I don't believe so. I saw Arabs in that house, but I don't know who they are.

- Q: Is your father still a General in the Saudi Arabia military?
- A: He retired after the first Gulf War, in 1991.
- Q: Have you had any contact with him since your detainment?
- A: There have been a few letters sent back and forth.
- Q: So, your father knows you're here?
- A: Yes, he does.
- Q: You indicated that you did not talk with your family before you went to Afghanistan because they would not like it. Why would you think it was such a good idea if you knew your family would think it was such a bad idea?
- A: That's a mistake I've made. I'm admitting my mistake.
- Q: Did you tell them you were going to Afghanistan at all?
- A: I told them I was going on vacation. My family is more civilized than the other Saudi Arabians, but they don't accept the fact that I want to go on my own. That's why I didn't tell them.
- Q: Your job paid you enough money that you'd have enough money to go for a month without any funds from anyone else?
- A: I was making about \$2000 a month and thought that was enough money. I live for free, in my own home and I don't pay taxes on the money, so it was enough money for me.
- Q: You mentioned that the house turned into a prison.
- A: Yes.
- Q: Was it turned into a prison by the Arabs or the Afghans?
- A: It was similar to a prison.
- Q: I understand that.
- A: The uprising in Afghanistan...the manager of the house was saying that the Arabs were the targets and we might be killed and then they'd have even more problems

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and no one could leave the house unless they let them out. Because of that, I stayed in that house as a prisoner.

- Q: Have you seen your passport since you've been here?
- A: One time, about 2 - 2 ½ years ago when I got to Cuba, one of the interrogators showed me the passport.
- Q: How many times have you been interrogated? Many times?
- A: Many times.
- Q: Have you ever made statements to the interrogators that may not have been true, just so they'd go away?
- A: When they first captured me, I was very afraid and I may have lied then, but since then I've told only the truth.
- Q: Would that be statements made in Pakistan?
- A: Yes, only in Pakistan, the first time I met the interrogator.
- Q: The interrogator from the United States?
- A: Yes.
- Q: How about here in Cuba?
- A: I was telling the truth.
- Q: When you were not telling the truth, what kind of things would you say?
- A: I told them I never entered Afghanistan. I was under the impression that anyone who entered Afghanistan would be killed, and that's why I said I never entered Afghanistan.
- Q: Did you ever say you received any type of weapons training?
- A: No.
- Q: Did you ever say you were near the front line, fighting?
- A: No.

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Q: You mentioned that you went from Herat to Pakistan alone, but you said someone helped you.

A: I went from Herat by a hired, private taxi to Khost and stayed there for about 17 days, from Khost to a city on the border, (Spin) Buldak.

**Tribunal President's Questions to Detainee**

Q: When you were planning to travel to Afghanistan, how long did you say you planned to stay in Afghanistan?

A: About 30 days.

Q: It would be counted as your vacation?

A: Yes, I could kill two birds with one stone. It was like a vacation and I could offer my help.

Q: You said you wanted to offer your help with religious and financial means?

A: Only religious help, not financial. I did not have any money.

Q: You took how much money with you?

A: \$3200.00

Q: You traveled in September?

A: Yes.

Q: What month did you cross the border from Afghanistan to Pakistan?

A: December 5<sup>th</sup> or 6<sup>th</sup>.

Q: But it was December?

A: Yes.

Q: While you were in Afghanistan, and before you started to be treated as a prisoner and unable to move about freely, how did you provide this religious help?

A: I never did. The circumstances did not permit me to do so. I was shocked by what I saw when I first got to Afghanistan. They were saying this was a Muslim State, but what kind of Muslim state was it? For me, it was shocking.



I was subjected to being hit and tortured by the Afghans calling me the "Wahabi." I asked why I was being treated this way and was told that the Afghani people do not like the Arabs. That was one of the major reasons I wanted to get out.

Q: Why did you not leave immediately?

A: I wanted to be 100% sure.

Q: You wanted to get your teeth knocked out just to be sure?

A: I had taken a long trip, and for me to go back without being sure? That doesn't make any sense to me. The circumstances were stronger. As soon as I got there, the idea of going home was present. I wanted to leave as quickly as I could. I was trying to see if things would change in the future. I stuck it out for a few days to see what would happen.

Q: Do you recall observing any fighting or bombing?

A: On my way, I noticed fighting going on. I didn't see the fighting, but I saw some Afghani corpses on the road. Maybe fighters or thieves killed these people to rob them afterwards. There was no security in that country.

Q: As you were making your way to the Afghanistan/Pakistan border, who were you hiding from?

A: The situation was so bad. People were kidnapping other people, people were killing other people, and you fear for your life. I was very fearful. Many times I saw bodies where I was passing by.

The thieves will kill you, take your car and money and just run away with it. During the time I stayed there, I was so fearful for my life.

Q: Why do you think the Arabs that were holding you in the safehouse in Herat didn't take your passport?

A: What do they need with my passport?

Q: To help ensure that you would not leave.

A: I do not know.

Q: Did they take your money?

A: No.

Q: How much money did you have when you were captured in Pakistan?

A: A little more than a thousand dollars.

Q: What happened to the other \$2000.00? Where did you spend it?

A: I was paying for the taxicabs and I bought some stuff. I paid the Afghani guy \$1000 to get me out of the country. I had a little more than a thousand dollars and the Pakistan people took it.

**Tribunal Members Questions to Detainee**

Q: You told your family that you were going on vacation. Was it meant to be by yourself?

A: Just for myself.

Q: Even though your parents were in poor health, and your children had health problems, this was accepted?

A: It was just a short period of time. I can go and do whatever I want to do. It's not like a year's time, it was only one month.

Q: Where did you tell them you were going to go?

A: Indonesia.

Q: When you were traveling to Pakistan and left the house, did anyone offer you a weapon, since it was so dangerous out there?

A: No one offered any weapons.

Q: So, you didn't have one in Afghanistan? Did you have a weapon when you were captured in Pakistan?

A: No.

**Tribunal President's Questions to Detainee**

Q: Do you have anything else you'd like to say to this tribunal?

A: You should understand the Saudis' culture. The government does certain things that the public does not even understand. The elderly and the religious people do the same thing.

The way Saudi Arabia looked at Afghanistan, no one understands what is going on between the two countries. Saudi Arabia is aware of and recognizes the Taliban, even though they recognize that the Taliban protects Usama Bin Laden.

I don't believe the religious people or the fatwa anymore. The public is not aware of what's going on, neither is the media. People are confused by the news and the relationship between Saudi Arabia and Afghanistan, and the public is also a victim.

Q: I agree to try to understand the different cultures and will continue to as we carry out our responsibilities on this Tribunal. Thank you for your testimony.

AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.



Colonel, U.S. Marine Corps  
Tribunal President

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When asked by the Tribunal President if the detainee understood the CSRT process, the Detainee answered, "Yes."

Detainee: If I didn't attend the session, how would you know that the accusations made against me are true?

Tribunal President: We would use the evidence provided to us, if you were not here.

Detainee: That means I have to defend myself.

Tribunal President: You have that privilege here.

Detainee: I am not going to cause trouble I am here to defend myself.

[Translator stated the Detainee was referring to the comment he would be removed if he were disorderly during the proceedings.]

When asked by the Tribunal President if the detainee had any questions concerning the Tribunal process, the Detainee answered:

Please forgive me for asking but I have seen courts all over the world and I have never seen one where there are handcuffs.

Tribunal President: I understand. If you have questions about this Tribunal at anytime, please ask.

Detainee: Is this an American Tribunal or an International Tribunal?

Tribunal President: This is an American Tribunal.

Detainee: This is the first time I have been in front of a Tribunal, maybe you know if you can keep the handcuffs during the Tribunal?

Tribunal President: This is a military administrative process. It is not a civil judge court process.

Detainee: I asked this question for myself to understand if American courts use handcuffs.

Tribunal President: This is a military process and procedure that we are following for everyone. That is our system here today.

Detainee: No problem, please forgive me. Thank you.

Tribunal President: You may ask any question about this Tribunal at any time.

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Detainee: Thank you.

**Summarized Sworn Detainee Statement**

[When asked if the Detainee wanted to take the Oath, the Detainee stated, "Yes, but our Oath is religious Oath, not a legal Oath."

The Detainee provided the following statement after electing to be sworn:

Personal Representative to Detainee: The first piece of evidence states you are a member of al Qaida because you contacted al Qaida leader Abdul Haq, upon arrival in Istanbul, Turkey in April of 2001.

Detainee: I am not a member of al Qaida. What proof did you base this on?

Personal Representative to Detainee: The four statements of the Unclassified Summary support the accusation that you are a member of al Qaida.

Detainee: I did get in touch with Abdul Haq, but his name is Jamaldi Boudraa. My intention when I left Algeria was to go to Germany. When I got to Istanbul, Turkey, the only way I had to contact him was by a cell phone number. This cell phone number was listed in Georgia, but I didn't know that. I thought he was in Germany. When I first talked to him, I asked him if he was in Germany and he told me he was in Georgia. I asked him which Georgia was he talking about? The only Georgia I know is in the United States. He told me it was the Georgia that was part of the former Soviet Union. I said I thought I was going to Europe. He told me I could come to Georgia. I applied for my Visa and eighteen days later, I went to Georgia.

After I got to Georgia, I went to a village where there were several refugee camps with Chechnya refugees and Chechnya fighters. If you would like, I can clarify more.

Tribunal President: The panel will ask questions after your statement.

Personal Representative to Detainee: You traveled from Istanbul Turkey to the Republic of Georgia in 2001. You talked about this a little bit already.

Detainee: I don't have anything else to add. If you have questions later, I agree to answer them.

Personal Representative to Detainee: You first met the al Qaida leader, Al Haq, in Algeria in 1992.

Detainee: He is my friend. I've have known him longer than 1992. I have known him since I was two years old. My friend left Algeria for Germany because of all the problems in Algeria with the militia and terrorist. He was afraid he might get killed.

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In 1992, Abdul Haq wasn't an extremist or an educated Muslim. He didn't even pray.

Personal Representative to Detainee: An al Qaida leader said he knew you at a terrorist training camp in Georgia.

Detainee: Who is this person who said he knew me at this training camp? Is he Arab, Caucasian, European? I want to know.

Tribunal President: The only information we have is that he is a leader. This Tribunal doesn't have his name. It is not available to you in the unclassified.

Detainee: The place I went in Georgia had several villages. There was quite a bit of distance between each village. These villages were full of refugee camps with women and children. These are Georgian camps, not Chechnya training camps. It is impossible for Georgia to allow Chechnya to have training camps in their territory. The Georgian government is Christian. In Georgia, illiteracy exists in the camps and they are dangerous. There are several checkpoints and several problems.

Personal Representative to Detainee: Are there any broad statements you would like to make about the allegation regarding the evidence you are a member of al Qaida or associated with al Qaida?

Detainee: Yes. First, this Tribunal has said I am an enemy combatant against the United States. From a hypothetical standpoint, let's say I am an enemy combatant against the United States. In Georgia, I saw Americans CIA agents taking pictures. I can describe the cars they were driving around in.

Tribunal President: Whose cars? Can you describe them? I don't know who they are?

Detainee: The CIA.

[Detainee continues statement:]

I can describe the cars because I knew they were coming to take pictures of Arabs in the village. Because I am an Arab, I was afraid. Maybe they thought I was one of them? America wanted to capture Arabs because of the harm done to the United States. If you are saying I am an enemy combatant against the United States, there were several Kalashnikovs in the village and I could have gotten a weapon and shot them (CIA). I have seen several Americans in Italy, Morocco, Algeria, France, Germany, and Istanbul. Why didn't I kill them there?

You say Abdul Haq is an al Qaida member. How would I know if he was? All I know is he was my friend. I am not aware of what he has done in the past. If I am an enemy combatant of the United States, why did they capture me five to six months after the 11

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September incident? If I were an enemy combatant as you say, I would have tried to get closer to Afghanistan to fight.

The Americans didn't capture me. The Mafia captured me. They sold me to the Americans.

Summarized Answers in Response to Questions by the Tribunal Members

Q. What was the purpose of your travel when you left Algeria to go to Germany?

A. There were several problems in Algeria. The young all wanted to get out of Algeria and find work elsewhere, since we didn't have any rights in Algeria.

Q. So, you went looking for a job?

A. Yes. I went for work and to apply for refugee status.

Q. When you got to Turkey and you found out this friend was not in Germany, why didn't you just go to Germany without your friend?

A. I couldn't go directly from Algeria to Germany because they don't issue Visas. When I went to Istanbul, Turkey my friend was supposed to be in Germany. He was going to help me obtain a Visa. When I found out he was in Georgia, he said he would help me get a Visa for Georgia.

Q. Have you attended any type of military training camps outside of Algeria?

A. No.

Q. The person the government is calling Abdul Haq has been your friend since before 1992?

A. I have known him for a long time. We lived two neighborhoods apart.

Q. At some point, Abdul Haq moved to Germany?

A. He left in 1992.

Q. Somehow you got in contact with him. You were going to move to Germany and he was going to help you get set up with a job?

A. Abdul Haq fled Algeria because of all the killings and problems in 1992. He stayed in Germany for seven years before returning to Algeria in 1999. We saw each other at a restaurant and we sat and visited. I asked if he had taken care of his paperwork for Germany? He told me not really he had just returned to visit his family. He was

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planning on returning to Germany to complete the paperwork. He left Algeria in 1999, because there were still problems and killings by extremists. He told me if I wanted to go to Germany, he would try and help me. Shortly after that, I got in touch with his younger brother who gave me the cell phone number. There wasn't any place that would give Algerians Visas to a European country, except Turkey. It is also easy to get to European countries from Turkey. I went to the Turkish Consular and got the Visa.

Q. How did you finance your trip from Algeria to Turkey?

A. I had money. I was a businessman.

Q. What was your trade?

A. I use to work in European clothing, jeans, suits, clothes, sneakers, and watches.

Q. You were in sales?

A. Yes. I also worked in the sea.

Q. Fishing?

A. Yes.

Q. You wanted to leave Algeria to escape the troubles there? So, it didn't really matter where you ended up as long as you were out of Algeria?

A. Yes, the most important thing was leaving Algeria. I left Algeria. Then I wound up in Cuba.

Q. In the Republic of Georgia, what did you do when you met your friend again? What work did you do?

A. Not much. I went to the mosque to pray and helped teach the Chechnya boys (the kids of the Chechnya resistance) and several other refugee children.

Q. The dates in 2001, when you arrived in Georgia and when you were captured by the Mafia do you have the approximate times (dates and months)? When did you arrive in Georgia, and when you get picked up?

A. I entered Georgia in April 2001. I was captured on 28 April 2002. It is hard to forget the dates of your troubles.

Q. Can you describe the Mafia that captured you in more detail?

A. I can tell you when they captured me.

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Q. I would like to know who, were they Georgians, Chechnya's, were they Russians, do you have any idea who they were?

A. I was asked this question by the interrogators and I didn't want to answer it. I will answer for the Tribunal because it is different. The interrogator is a dangerous person. When I was first captured, a car came around and the people inside were talking Russian and Georgian. I also heard a little Chechnya. We were delivered to another group who spoke perfect Russian. They sold us to the dogs. The Americans came two days later with a brief case full of money. They took us to a forest, then a private plane to Kabul, Afghanistan.

Q. Who was with you when you were captured?

A. There was four of us. Myself, my friend Abdal Haq, a Yemeni guy name Zackria, and a Chechnya driver, who was killed.

Q. The Mafia killed him?

A. Yes.

Q. Do you know why the Mafia came after you?

A. It's obvious. They knew Americans were looking for Arabs, so they captured Arabs and sold them. Just like when someone catches a fish and sells it.

Q. You don't think the Americans were looking for you in particular; they were looking for any Arabs that might have been in Georgia at the time?

A. They liked quantity, yes. At that place, there was a Chechnya resistance. They figured there had to be terrorists with the Chechnya resistance. Inside Chechnya territory there are Arabs.

Q. Why do you think the Americans cared about the Chechnya resistance? Why didn't they just give you to Russia?

A. America wasn't just interested in the Chechnya resistance. They were interested in places all over the world. Any place where problems exist, the United States is interested.

Q. When you were working in Georgia at the mosque, what were you doing? Teaching the Koran to the children? What was your function?

A. I taught them Arabic and the Koran.

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[When the Tribunal President asked the Detainee if he had any other evidence to present to the Tribunal, the Detainee asked like what?]

Tribunal President: Papers, more statements anything you want to present to us to consider.

Detainee: You ask me questions, but I cannot prove it to you. You asked if I had any witnesses who could help prove my innocence. I can't bring witnesses here. I was in Georgia and they can't provide anything because they don't know me well enough. If they did provide information, they would be lying because they don't know me. If you ask my family in Algeria they will tell you I am innocent, but if you ask why I went to Georgia, they won't know. Therefore, I really don't need their testimony. You need certain proof.

Tribunal President: That would be helpful to this Tribunal.

Detainee: Yes of course that would help, but I can't give you anything else. If you want to ask me questions, please do so. In regards to the al Qaida issue, before the 11 September incident and before I was captured by the United States Abudula Haq was not al Qaida. Let's suppose my friend was a member of al Qaida, I didn't know, and what does it have to do with me?

Tribunal member: I understand. I want to give you an opportunity to state on the record what you are.

Q. Are you a member of al Qaida?

A. No.

Q. Are you a member of the Armed Islamic Group from Algeria?

A. To provide you with new information, I was in prison in Algeria.

Q. For what?

A. I was a member of an organization called Jella Etablee. We went places and preached the Koran.

[A Tribunal member requested clarification on the name of the group.]

Detainee continued statement: They had investigated us, and as you are aware, there were several problems in Algeria at that time.

Q. Are you a member of any terrorist organization?

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A. They are not an organization.

Q. The only organization you are a member of is Jamal al Tabliq?

A. This was not really an organization. There wasn't any structure. It is open to volunteers who want to teach others about Islam. That is all it is. If you say God is only God (inaudible).

Q. How long have you been associated with this group?

A. I was involved occasionally, here and there.

[When the Tribunal President concluded the Tribunal, the Detainee asked if the classified information existed, the Tribunal President replied they would be provided the information later.]

Detainee: I just want to defend myself.

Tribunal President: I understand.

[When the Tribunal President explained to the Detainee that if he was classified as a non-enemy combatant he would be returned to his country, the Detainee responded he didn't want to go back to Algeria.]

Detainee: You didn't capture me in Algeria.

Tribunal member: We've had this question before. Our Department of State works out where you would be sent back. This Tribunal doesn't have any control over that.


Detainee: Thank you.

[When the Tribunal President explained to the Detainee the Administrative Review Board process, the Detainee asked if it was a Tribunal or with interrogators? The Tribunal President explained it was a different board.]

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AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.

A large black rectangular redaction box covering the signature of the Tribunal President.

Tribunal President

Colonel, USAF

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Summarized Detainee's Sworn Statement

*The Tribunal President read the Hearing Instructions to the Detainee and confirmed that the Detainee understood and had no questions.*

*The Personal Representative presented the Detainee Election Form (Exhibit D-A) to the Tribunal.*

*The Recorder presented the Unclassified Summary of Evidence (Exhibit R-1) to the Tribunal.*

*The Recorder presented Exhibits R-1 thru R-2 into evidence and gave a brief description of the contents of the Unclassified Summary of Evidence (Exhibit R-1).*

*The Recorder confirmed that he had no further unclassified evidence or witnesses and requested a closed Tribunal session to present classified evidence.*

*The Tribunal President, referring to the Detainee Election Form, made the following statement:*

Tribunal President: I see by the Detainee Election Form that you have elected to participate today as evidenced by your being here. I also see that you had asked for some witnesses; I actually see a total of seven witnesses that you originally requested. The first step I'll talk about are the witnesses that are available locally, and you had asked for three: Haji Naim Kuchai, Haji Nazrat, Akhtar Mohammed. As such, we allowed for two of those witnesses to testify for you and the Personal Representative will provide that testimony later in a written format. The other four witnesses were what we consider off-island witnesses. The first one you asked for was Commander Sakhi. Then there were three others in which their testimony appeared to be duplicative in nature. I said you could choose one of them. You picked for us to contact Hazrat Mujadidi. Based on this request and the appearance that their testimony would in fact be relevant to your case, we requested that the Department of State on the 26<sup>th</sup> of November to contact this witness. Then they also had tried two follow-up requests on the 10<sup>th</sup> of December and the 17<sup>th</sup> of December. To date, the Department of State has indicated that they have had no response back from the foreign embassy. As such I have determined that based on the attempt to locate and the lack of response, this witness is not reasonably available at this time. I will tell you, that if their testimony does in fact become available at a later time the Tribunal will consider whether to re-open your case or not. Commander Chaman you may now present any evidence you have to the Tribunal and you have the assistance of your Personal Representative in doing so. Do you wish to present information at this time and would you like to make your statement under oath?

Detainee: Yes.

Tribunal President: Recorder would you please administer the oath?

Detainee: Should I stand up?

Tribunal President: No, you can remain seated.

*The Recorder administered the Muslim oath to the Detainee.*

Detainee: Nothing else but the truth.

*The Tribunal President opened the Tribunal to the Detainee to make his statement.*

*(The Detainee choose to make an oral statement instead of answering the allegations)*

*3.a. The detainee is associated with al Qaida, the Taliban and their associated forces:*

*3.a.1. When captured, the detainee possessed current intimate knowledge of the logistical, financial, and operational structure of al Qaida, the Taliban and their associated forces.*

*3.a.2. The detainee attended a meeting of then current al Qaida, Taliban, and Hezb-I Islami Gulbuddin (HIG) operatives held in Peshewar, Pakistan.*

*3.a.3. When captured, the detainee possessed current intimate knowledge of the HIG command inner circle. This knowledge includes its structure, membership, and hierarchy of influence.*

*3.a.4. When captured, the detainee possessed knowledge of current HIG plans to attack U.S. Forces stationed in Afghanistan.*

*3.b. The detainee engaged in hostilities against the United States or it's coalition partners.*

*3.b.1. The detainee collected intelligence to facilitate a planned attack on coalition interests in late 2002 and early 2003.*

Detainee: When the Russians came to Afghanistan they bombed our district. A lot of them died and the rest of them, every single person, became a refugee and passed on to become seven different groups and started the war against the Russians. I joined the Mujahidin Mohammed Nabi group. The name of the group is Harakat-e-Islami. I came to Afghanistan to stop the war against Russia. After a long struggle, the Russians disappeared. The last president supported by the Russians, Najibullah's government, was finished and our leader Mohammed Nabi talked to everyone and said that the war is over, everybody should go home and Mr. Hazrat-Sebqatullah Mujadidi became our president. After the war I bought a store to sell clothes, men's clothes, cotton and other material. I started to get busy with this. After three years of doing my own business at the store, I left to Afghanistan and stayed for six months with Gulbudin Hikmatyar. At that time Gulbudin Hikmatyar, President Rabani, and Commander Masood were in a big civil war against each other. Six months later, I left Gulbudin Hikmatyar and I went to Ahmad Shah Masood. After a while they came and made peace together and Mr. Rabani had become our



President and Gulbudin Hikmatyar became the Vice President. Then I left my home district and stayed there. Then the Taliban came and started to fight against us and our district. Later on I left my district and went to Kabul because I didn't have the weapons to fight against them (Taliban). Three days later they gathered ten of my friends and took them to a room, much like this one, and lined them up and shot them from close range. After the incident the people of the district went to the Taliban and asked for the bodies to be returned so they can be put to rest in their own traditional and religious manner, but the Taliban denied the request. They did not return the bodies to them; they just dug a big hole 300 meters away from the district and they put all of them together and buried them in it; they are still there. When they (Taliban) went to capture Kabul they announced everything that belonged to Commander Chaman would now belong to the government and nobody's allowed to touch it. They took everything from my office and everything from me. Before they came to capture us they said I bought a lot of concrete and help to build my own house. The Taliban took all the equipment; all the cement, wood and other things and instead they used it to fix the district and district manager took the rest to his home. When President Karzai's government came into power I returned to the district and built separate graves (headstones) for them and buried them. If you go back to the district right now all of the equipment and the wood and cement that I mentioned are still there as my evidence. When they captured Kabul, everybody escaped to Panjshir (ph) and Mazar-e-Sharif. I went to Mazar-e-Sharif. I was in Mazar-e-Sharif for six months and Ahmad Shah Masood was in Kunduz province. I used to visit him in Kunduz. When I was coming back, Gulbudin Hikmatyar and his people were in Baghlan (ph) and when I was coming back they had trapped me, they tried to assassinate us and they killed two of my guys. When I got back to Mazar-e-Sharif, there were planes that belonged to General Dostum that flew between there (Mazar-e-Sharif) and Pakistan. I took one of the planes and went to visit my family in Pakistan. When I got to Pakistan, the Pakistani government authority did not allow me to get off the plane and they told me that I couldn't go home. I returned to Mazar-e-Sharif in the same plane. Three months later, during Taliban's government, I went back to Pakistan hiding through the mountains. When I went home I was hiding there for a year and couldn't go anywhere because of the scare of the Taliban. After one year I reopened my own store, my own business again. After three years Ahmad Shah Masood sent me his representative or his commander asking me to come to Panjshir in the name of Haji Shah Agha. I spent seven days with Masood in Panjshir. He told me to go to Muzaffar Abad (ph) in Pakistan to meet with a person whose name was Stanei (ph) accompanied by one of Masood's commanders. Stanei sent me to meet another man named Commander Mazbut (ph) in Kashmir. Stanei and I went back to Muzaffar Abad and we found Commander Masood. Then I took Stanei to Commander Mazbut (ph) and I don't know about the other details because that was between Commander Mazbut (ph) and Stanei. I told Mazbut (ph) that Stanei is Masood's guy. Then everything was between the two of them, I did my part. After three years while I was running my store the Taliban was finished when Americans came there and President Rabani came back into power. When President Rabani came into power his Chief of Intelligence service, Mr. Engineer Arif (ph), who is from Panjshir and is still in power, sent Haji Shah Agha to meet me and bring me back to Kabul, Afghanistan. Ahmad Shah Masood had already been killed when the Americans came. When I came to Kabul, the Chief of Intelligence asked me to come and work with him to find out about the whereabouts of Taliban commanders. The Taliban

were at that time running away towards Pakistan. I told them that I did not know a lot of people. How would I work for you because I cannot read and write? They told me wherever I go Haji Shah Agha will always be with me and he will help me read and write. After that Haji Shah Agha and I went to Pakistan to look for Taliban high ranking or Taliban members or Taliban commanders and we would get the information and then give it to the Kabul government. Because I was not by myself, everywhere I went Haji Shah Agha was always with me and we were looking for information about Gulbudin Hekmatyar and high-ranking members of Taliban and went back to Kabul and gave the information to Engineer Arif. After that, Mr. Karzai became the president. When President Karzai was in office the American and the American coalition and the United Nation forces were all placed in Kabul and I thought now the Northern Alliance and the Taliban would slowly, slowly disappear and peace would come to Afghanistan because of international forces. I went to Pakistan to bring my own kids and my only family back to Kabul, Afghanistan. That was the reason and that was my main goal to send my kids back to school and stay in our own country instead of a few days here and a few days there and have relaxation and be comfortable in our own home at peace. I also worked with President Karzai's government and that was our job to go around the country to get information about the Taliban. Engineer Arif was still the Chief of Intelligence and I still had Haji Shah Agha with me all the time to gather information about the Taliban. One of the things that the Engineer Arif told us to do was to go to Muzaffar Abad, Pakistan and bring him a picture of Commander Mazbut (ph) and so we did. We made these trips once a month or one and a half months and I ran my own business buying used cars and selling them back to make some profit and buy some houses to be remodeled. Then the Americans were fixing this place. They were bringing these metals from Herat. They had this translator with them named Yaqub (Jacob) and I saw the contract with them to find and bring the equipment from Herat to Kabul. I found them or I brought the equipment from Herat Province to Kabul. The linguist Yaqub told me the American representative wanted to meet Mr. Bassir. Mr. Bassir was a central commander of Kabul, working for the Karzai government. I went to Mr. Bassir and got an appointment with him and told him that the American company president wanted to meet with him. I told the linguist Yaqub that I got an appointment with Bassir and you guys can go anytime to meet him. The linguist told me the American said that I could go if I wanted to join them and meet Bassir. Also there was also another gentleman his name was Mustafa; he was a driver for the Americans. I met Mustafa at that time. Mustafa told me awhile later that the Americans had brought all the equipment here, make me a partner. I told him I couldn't make him a partner in this and that he couldn't go back and forth to Herat. This is not a job for you. He warned me if didn't make him a partner that he knew these Americans, he worked with them, he'll make problems for me. After awhile, I had a small car and I think that the gentleman asking me for partnership deliberately caused an accident with my car; he almost destroyed my car. Then I found Mustafa and I asked him why did he hit my car and he replied that he would come this afternoon and he will pay for the damages. He would pay for all of the damage he did to my car. I was looking for him and he disappeared, he didn't show up that day and he disappeared for almost three or four months. I asked this man Mr. Yaqub where Mustafa was and he didn't know either. Engineer Arif asked me to come to his office at that time. He showed me a picture and I found a picture Mustafa. Engineer Arif told me if you ask for something from Mustafa we

would put you in jail. I said that I didn't ask for anything, Mustafa created an accident and hit my car. I asked for the damage and he said yes he has to pay you, when we find Mustafa we will make sure what happened. After six days nobody showed up, I didn't see Mustafa; I didn't see anybody after six days they turned me over to America. From that point I became a detainee in the hands of Americans. When I was detained in Bagram the interrogator told me that he was going to confront me with Mustafa. I said okay and they brought Mustafa into the room. Mustafa said not a word; he was just quiet and didn't say a word. Then I was transferred here and the interrogator told me that they brought Mustafa also, we will need you face to face and I said go ahead. When confronted by Mustafa, he told the interrogator that he lied. Mustafa was working in Kabul in the American office; I think he had stolen a computer from the American office. When they interrogated him and asked him a question, they told me that Mustafa had disappeared and that was the reason I was lying about him because the American told me that in Kabul if you found one person who stole a computer or something happened to a computer they will let you go and he apparently lied about me. Why would I lie about him? The reason that Mustafa says when the American asked me or showed me a person or find some person we will let you go. Mustafa said I thought I would chose him because he is a person in the Karzai government, America will not take him, imprison him, or detain him, that was the reason I gave his name because he knew I worked for the Karzai government. When I find him, they will let me go maybe; America will not arrest him. Still at that time Mr. Karzai was in power but there were two governments over there. Mr. Karzai was only president by name. The whole structure of the government was run by Panjshiris of the Northern Alliance. First the Panjshiris or Northern Alliance did not want any Pashtuns in Kabul to back Karzai. They didn't want Karzai to become powerful. Every Pashtun you find in Kabul they will make problems for them, make allegations, and turn into Americans. One of mine did the same thing, they went somewhere with Mustafa and turned against me and put forth wrong allegations, I think that was the only reason to turn me into America and bring me here for no reason. I'm innocent. My word is true and the real enemy is the Taliban. The Taliban took my home away and took my own equipment and sold it to the district office. The Taliban killed my ten really close friends and associates, you can visit the district and see people out there and you can see the gravestones of these ten people. My enemy truly was the Taliban. Even you ask a little boy in this district who these people who died and they will tell you it was Chaman's friends or associates or people and the whole equipment of the district was (inaudible) that was my problem. That was the reason I brought a lot of the equipment, a lot cement or material because our own village, our own people, our own district was destroyed, there was nothing left by Russians. I don't know how sell (inaudible) house. Everything was destroyed because the Taliban invaded my house in the beginning; it is gone by the Taliban. My true enemy was and is the Taliban and Hezb-I-Islami Gulbahaddin (IIG) not the northern alliance. I was with them and I work with them. If I am a man or I have something in my heart and do something wrong, why would have brought my family to Kabul? My kids would still be in Pakistan or Iran or other country. I will do the wrong thing if I want. Why wouldn't I bring my family to Kabul? The only thing I did was help them because Engineer Arif and Mr. Haji Shah Agah is the third person responsible in this office, the second or the third one. Haji always worked with me, shoulder by shoulder, everything we did together, everywhere that we went we helped to new government or the Rabani government against the Taliban and the Hezb-I-

Islami Gulbahaddin. That is the whole thing I did and nothing else. I prove it to you because I was working for the government. When me and Haji Shah Agah the third ranked person in the intelligence office and they sent us to see or bring the picture from Mazar, we took the picture and we just formed it, we took the picture of the villain and we brought it back to Kabul. I work with the government and the interrogator showed me the picture here. It was me and Haji Shah Agah that would meet everyday, every time we would go somewhere to report from the Taliban or Gulbudin Hekmatyar and also we met with Mazbut (ph) the commander and we took the picture and the picture is here and the interrogator showed me, I saw the picture here. I never ever had joined any conference or any meeting with Taliban because even though I did this story I was still the around the Taliban and if they capture me they will kill me. Everywhere I go the Haji Shah Agah, every single day, every trip we went on, he was with me. I was not allowed to go anywhere.

Tribunal President: Does that conclude your statement?

Detainee: I have one more thing to say.

Tribunal President: Certainly.

Detainee: I never ever joined anything with Gulbudin or anybody. I never joined it and I don't know anything. It is true that I knew this person, this third or second by rank in the intelligence office but Haji Shah Agah to go there and find information to get information about the Taliban or Hezb-I-Islami Gulbahaddin to bring the government that information. That is the only thing I know otherwise I don't know nothing about anything. Even if we find out together the Hezb-I-Islami commander we would go secretly to find information and bring the information back to the Kabul government. Haji Shah Agah is the second or third highest-ranking intelligence office in Kabul also did not aid in the intelligence. The whole thing I did was an order. The word of my witness, you can ask them about me. My second witness is an American Yaqub (inaudible) of our district. Contact them and please tell them who are the people in the district, who is buried there and also whose equipment, whose cement or the wood, or the door, or the window. They are mine. They stole them from me. That is it between the Taliban and myself. The Taliban is my true enemy. I don't know why the Americans think I am against them or against the new government. We thank the government. I appreciate them. They rescued us from our criminal terrorist from Kabul. You know how short we are and how long we are they will cut your hand, they will cut your leg, they are thief's. We thank the Americans for their help to throw out the terrorists. We have peace because of the Americans. Also, my three witnesses Hashmat Ahmed (ph) he is the brother of Stanci (ph) who is the Prime Minister right now. That is his brother. Also my later witness is (inaudible) he is being detained and maybe he can come out and defend me. Also the Defense Minister of the new cabinet and Mr. Karzai the President and also Mr. Hazrat-Sebqatullah Mujadidi our former president. Those people it is easy to call and contact and find and they are also American and Kabul. I hope you contact these people and ask about me and my life. I'm not against Mr. Karzai the President. I am not against America; I thank America because they rescued us from criminals. The only thing is a bunch of people or group of people they are the ones who



find a problem with me because I was six months when they were at war between them and Hezb-I-Islami, I was traveling for six months with the Islami and that was the reason to turn me into America, that was the only reason and also they say Pashtu is a big problem in Kabul at that time. That was our only wish that when we pray for at that time that someday we could get to peace and no more war. That was God's help that America came over to bring peace to Afghanistan and put the criminals away and my hope and this wish. That was the only reason I brought my family and my little kids to Kabul to live in peace. If you do something wrong, you don't want to put your kids out in harms way. Especially because I love my kids, I don't want to bring my kids and put them into this trouble and put them into the problem and in Kabul I managed to do something wrong and break the law. The meeting here is like it was with Mustafa when interrogated with Mustafa because Mustafa said that what I put on him was a lie. This moment that you need to bring you more clues then send me to Kaffor (ph) and he told me as soon as possible he would send me home. That was to go home and live free I think against somebody or something a Panjshir or the Northern Alliance they wanted more information. I think he was re-arrested here and is back in jail. I'm in prison here and you're keeping me for no reason, I'm innocent. I understand that you guys, Americans are very lawful people and work by the law. I need your help, let me share my case and maybe I can live in peace with my kids. There is nothing else to say. I thank you for your time and I'm sorry I talk a lot. Thank you again for giving me the time and for listening to me. I took up a lot of time.

Tribunal President: At this time we might have some questions for you. Would you be willing to answer some questions that we ask?

Detainee: Yes, I'd be happy to.

Tribunal President: Personal Representative do you have any questions for the detainee?

Personal Representative: Yes Ma'am.

#### Personal Representative Questions

Q. You mentioned previously to your other PR that the Minister of Information was the same for both Rabani and for Karzai.

A. Not ministry I think, lower than Ministry, Head of Intelligence so it's not Ministry.

Q. So it's the Head of Intelligence.

A. When I was out there at Kabul and everything was different information. A lot of power was exchanged.

Q. He was also with Rabani while you were with the Gulbahaddin?

A. No at that time he was not popular or not that important because Masood controlled everything. After when the Taliban threw him out and Gulbahaddin showed up into the picture.

Q. Do you believe that this intelligence had anything to do with your arrest and if so why?

A. Yes I think he was a member of former President Rabani. Rabani and Gulbahaddin were fighting together in the civil war that was the reason I was traveling for six months and that isn't the sweetest story it is a horrible one. Take a (inaudible) on that. Arif was the commander but not the high position he has now.

Personal Representative: That's all the questions I have. I believe he answered all the ones in his statement.

Tribunal President: Recorder do you have any questions for the detainee?

Recorder: No Ma'am.

Tribunal Member's questions

Q. Did you say you were a member of the HIG at some point for six months?

A. Yes. I told you that before I was with Mujahidin Mohammed Nabi. He is not in prison now; he has passed away. His son Dakar (ph) Mohammed Nabi is a poor person in Kabul, Afghanistan. That is maybe like the Vice President to Karzai. I stood with him and worked with him and sold with him and only because at that time the Russian (inaudible) President (inaudible) threw him out and I went to it because he told us no more war and nothing else and I went to Gulbudin Hekmatyar for six months. When I saw more closely his activity and I really just didn't like him, I disagreed with him, and I left.

Q. Did you leave before Masood died?

A. Yes that's why Masood and Rabani were on one side and Gulbahaddin was another side. Yes Masood was alive. Yes, I did HIG and I worked with Masood for the last five years.

Q. Actually right now I would like to ask the question to the Translator. I know you translate for a lot of different people; do you feel like you completely understand him?

A. Yes, yes, yes.

Q. I just wanted to clarify that with you. I was having a little bit of trouble with names. Did he say Mustafa was the driver for American personnel?

A. Yes, Mustafa had two jobs. One job it was driving Americans around and also he had knowledge of computers and he worked in an office. Computers, maybe a linguist. Because he said to the interrogators here, right in front of me, he said he worked at two places. As a driver and he also worked on computers in an office.

- Q. Okay. He wanted a third job to be his partner, is that correct?
- A. Yes. He wanted a third job. He didn't even know what job he wanted. He wanted to get some money. A product. Because he warned me he know Americans, I work with Americans, I will make problems with you and your business. He said if I didn't give him a share he would make a big problem for me and he did it.
- Q. Again I have problems with names. Who's the name of the person he was supposed to get a picture of?
- A. Mastgul (ph). This is the first Pakistani and he fought in Kashmir against India because I think he thought that was a close friend to Masood. I don't have any knowledge of him and I don't know him. The only reason I was there was because Masood told me to go there. If you see my file hopefully you saw the picture of me and them and also the intelligence office, the second or third ranked office of Haji Shah Agah, everywhere I went, everything I did, he was with me, shoulder by shoulder. He was the one to brag in the beginning. If I did anything wrong why isn't Haji Shah Agah and (inaudible) not here, they are still working for the intelligence office out there. I did everything under their controls, under their power. Why I am here, anything we did, we did against the Taliban. My personal enemy is the Taliban. They are worse and they are real killers because they destroyed my life. Anything I did for the government was help for the government, nothing against the government.
- Q. Again, I think it's maybe the sound in here. Did you say if you have seen my file? Can you clarify that we don't see it yet?
- A. Please I hope that you will see my file. There is a picture in the file and I hope you will see my picture with the intelligence officer, see what I do and what I did. Please I want to write and read and be educated for benefit of a diploma. I did nothing wrong against the American or the coalition or the new government. I only have personal dispute with the Taliban because the Taliban is my only enemy. I think it is an injustice for no reason and in prison here. Please read my file. I'm in trouble here and just send me back to Kabul. I was starting a class out there and can read and write. I was beginning to learn some writing. Please again I want you to send me home to my kids. I did nothing. America is not my enemy and it never was my enemy. There was an American prison in Kabul, Afghanistan otherwise I will not go to Kabul. Everything I did was against the Taliban.
- Q. The title Commander, where did he get the title Commander and when?
- A. At that time we reached Pakistan from Afghanistan and they became sign of reporting. You joined unequal in the beginning. To start with them or fight a war against the Russians and you would become a commander right away.
- Q. Did you fight the Russians?
- A. Yes, yes I have fought the Russians. Everybody fought the Russians. Even animals fought the Russians, our women fought with Russians. The reason they came to destroy us, they destroy our country, they destroy our family, and they destroy our home. Everybody was against them. Kids, women, everybody would



fight against them. After the Taliban came and shot my ten close friends that was it and I closed my whole chapter and forgot everything in command and I became a regular civilian after this incident. I stopped it.

Q. So when you fought or even up to today you had formal military training?

A. No. Nobody does. There is no training or education.

Q. Prior to the United States bombing Afghanistan were the Taliban in Pakistan?

A. He has ten hundred thousand or more than that, two hundred thousand people out there in Pakistan. We found a lot of Taliban there. We were trying by order of the Intelligence President Musharaf (inaudible). There was a lot of Taliban in Pakistan.

Q. We know they left after the bombing started, were they there before the bombing started?

A. At that time before Americans came to Afghanistan there were two houses or they were two places. Half of the house was for Pakistan and the other in Afghanistan. When Americans came and attacked them or found them they left.

Q. When you were working for the intelligence chief and you were tracking down the Taliban members, did the Pakistani's allow you to cross the boarder and come back and forth?

A. Yes. Usually a lot of people they go in and out. A lot of people have passports. I just gave them my passport and got in and got out. Then we went there before we were there Engineer Arif carried the visa before we went.

Q. Official travel?

A. Yes. We had carried a government passport and we made sure that the stamp was on there but it was from Pakistan Embassy and we went there officially. Also he did this thing for me and I didn't get what I want and he turned against me and put me here.

Q. As part of the work for the intelligence chief trying to track down the Taliban did he in fact gather the information that is in the Summary? You know where it talks about him knowing the leadership, logistics, finance and things? As part of his work with the chief of intelligence did he learn these things?

A. No. I don't know who wrote this one and how they got this one. I don't know any information of their finances, logistics or anything. It was only our job to find out who is who and where they live. We went to some maybe ten or twenty or hundred different house asking very respectfully who is here? Whether he is a member of the Taliban or not? Only personal information. I could not ask loudly, if they found me I was their enemy, they could find me and kill me.

- Q. That was my next question. I would think that would be dangerous?
- A. Yes. We were very careful, very secretly we would ask the people where they are. If they found me asking they would kill me too.
- Q. Just one last question and a clarification. He said he had a contract with the Americans to move equipment from Herat, I believe to Kabul. How much was that contract for? Does he remember the value?
- A. The contract was only for personal people; I found for them and they paid them five dollars per day to do it. Also when the pick-up truck was needed they paid me a hundred dollars a day for that. I was looking for a rental car, to find a company and an American. Mr. Yaqub, he was the linguist, and he told me how many cars they needed today or this week; they need ten, twenty, I found the car and the people with my pick-up truck. The reason I sent my pick-up to the people was because the way from Herat to Kabul if any car got stopped or damaged or anything we watched very closely for the equipment or anything wrong with the truck not lost or stolen by people. The pick-up truck is easily robbed because all of the equipment is sitting on top of the truck. The American group was not Islam and also the leader of the group (inaudible). Ask the American if I did one thing wrong or anything wrong. I am so innocent then, I will prove my innocence. (Inaudible).
- Q. He was in Kabul?
- A. He was in Kabul, yes.
- Q. I just wanted to ask about you capture again when you were arrested. You said it was because you were falsely accused of stealing a computer, is that correct?
- A. Mustafa was working for the Americans. He was the one who stole the computer. He disappeared for three or four months. After four months Engineer [redacted] asked me to his office. He showed me a picture of Mustafa. He asked if I knew this guy. I said yes it is Mustafa. They asked if I asked him for something. I said no that I only asked for the damage from the accident with my car. He thought that that was the problem. That Mustafa put some fear in someone, he is the one who stole the computer. That was the beginning of the problems for me from there because I was innocent and he was the one who stole the computer. Mustafa accused me to the Americans that I did it. Engineer [redacted] told me you asked Mustafa for something and I said no. I lost Mustafa; I was looking for Mustafa because he promised me he would pay the damage he did to my car. That was the beginning there and Engineer Arif put me out there and put me under arrest. Then after six months he kept me there and sent me after six days to Bagram. When I was first interrogated, I asked to please bring Mustafa here so we can talk face to face about what the real story is. When he brought Mustafa, he didn't talk, he did not say a word. He just kept his mouth shut because he was guilty; he did the whole thing and made up the whole story. When we came here and I told the story to the interrogator [redacted] and the interrogator told me Mustafa was here. He brought Mustafa to my face and Mustafa I asked him for my forgiveness because Mustafa says I was lying and I made up the whole thing. The interrogator told him why did you bring this problem to this person and bring him here for no reason.

- Q. Did they give him any other reason besides the computer for arresting him?
- A. I don't know. I still don't know what else he has stolen but he says here in Cuba, that he stole the computer and some other things. He said the reason that he gave Americans my name was because I thought his work with the Karzai government; I knew America would not arrest him. He will be free and I will be free because of the person I was with, they would let me go. I still don't know what else he has stolen or what else he did but he admitted that he stole the computer and did the wrong thing by accusing him. I think the whole dispute began from the top of intelligence office. I don't know what they told them about me.
- Q. You may not know this, but do you know if Mustafa stole the computer because it was a computer or because of data that was on the computer?
- A. I really don't know what he did Sir. I don't have any information. I only heard from Mustafa here that he admitted in front of the interrogator that he stole the computer.

Tribunal President's questions

- Q. I assume that you're a native of Afghanistan?
- A. Yes. I am Afghan. My province is Lowgar and my village or district is Hazara (ph), my home is Kabul and my also little kids are in Kabul. The reason I brought my kids to Kabul is for peace and to send my kids to school.
- Q. What languages do you speak?
- A. Pashtu.
- Q. The time you spent in Pakistan, here I'll show my ignorance, did they speak Pashtu as well?
- A. Yes. The area I was in was a refugee camp and each camp was from 2,000 to 5,000 homes. They all speak Pashtu. We don't have contact with the outside of Pakistan with other people.
- Q. Okay, so where did you set your business up at? Was it in a refugee camp?
- A. No. My business was in the official city in the market. A lot of Afghans were there too. Also only Afghans came to my store to buy material for clothes. All the market was Afghan people and also all of my customers were Afghan.
- Q. It was outside the refugee camp that you set up your business in Peshawar?
- A. Yes all I've done in the office is do business. I do that outside of the compound in the city of Peshawar.
- Q. I understood you to say that originally that Pakistan didn't want to allow you into the country and that's why you kind of hid for a while.

- A. The first time they did not let me in. The second time I walked from Afghanistan from the Mazar-e-Sharif by foot to the boarder and sneaked in.
- Q. When you set up your business, did they not require that you have some sort of a license or something to do that?
- A. No. All Afghans work without permit, without licenses or anything. I only rented from the owner and just paid him money, that's all.
- Q. For your work with the intelligence department did you receive any pay for that?
- A. Yes. They also gave us some extra money when we went to travel. (Inaudible).
- Q. So they gave you a salary as well as plenty to cover the expenses for your travel?
- A. No, not that much money. Only that exactly. Because it was normal if I once a month or every two months and the rest of the week I did my own thing so I paid myself.
- Q. You indicated that the person you took the photo with, you really didn't know that individual. How were you able to get close to people you didn't even know?
- A. Yes. I didn't know him but because he was a friend of Ahmad Shah Masood he sent us there with his message and he got closer to us because he was a friend of Ahmad Shah Masood. Also it is our culture that if you go somewhere or to visit someone right away they are friends with you. They ask you if you want tea or to relax and to come to their house in the city. At that time we introduced ourselves without that person and we talked with him and he became comfortable with including us. After the visit he asked us if we could walk around to see some places. It's not that busy; in his country people walk around everywhere. We went to some nice area, like touristy area, and that time we took a picture and I saved it.
- Q. I thought you said that once the Taliban was out of power that there were actually two factions, Karzai and another group.
- A. When the Taliban showed up the former president of the Taliban captured the power from him. He became the Vice President again and took over the power. The defense minister Fahoom is Panjshiri from there. Foreign minister is also from his country, from his group. The Interior minister is also from his group, is also Panjshiri. The whole power in Kabul was in their hands. After a while Karzai ruled by himself, alone and became our president without power. From the top to the little soldiers they are all Panjshiri, all power was in their hands. Now Mr. Raheem Vardak or other that comes into power that will be very ideal for Mr. Karzai.
- Q. Just so I understand, did you back Panjshiri in that element or did you back Karzai?
- A. No. I backed Karzai. Karzai was my own brother Pashtun. I hope he has all of the control of the country because the other Pashtun warlords were fighting. All the other Pashtuns backed Karzai.

Tribunal President: I would like to thank you for participating in this Tribunal today.

**Detainee:** Thank you. Again I thank you for the time you give to me and thank you for the time you listened to me and I hope God willing you release me.

**Tribunal President:** At this time is there anything that you would like to share with us?


**Detainee:** I think that this time here is inhumane and it is not right for justice. Please help me and make a decision on the true evidence. I asked you for so many names. I hope that you use that information otherwise if you go to the district that whole structure, and that whole picture of the district, they will tell you about me and I was an enemy of Taliban. I would never ever start a war against the Americans. There is nothing else about me. If you go to the district the people will tell you my whole story. Pashtun culture is the most hard-shaped, really, really bad thing or bad name to your tribe or your family when someone steals your house property or anything. The second thing was really hard I would never forget that someone killed your family and they never returned the body of that person. I think that I am just here for personal reasons; I still don't think that I am an American prisoner because I don't have any disagreements with Americans and I never fought any Americans. I think that I am detained to help the government against the Taliban; I didn't fail them. I did everything against the Taliban, very secretly. A lot of dangerous things happened to me, I did it to help the government and not against the government.

*The Tribunal President confirmed with the Personal Representative that he had further evidence and that the Detainee had no previously approved witnesses to present to the Tribunal.*

*The Tribunal President explained the remainder of the Tribunal process to the Detainee and adjourned the open session.*

### AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.



Colonel, U.S. Army  
Tribunal President

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**Summarized Detainee Sworn Statement**

*The Tribunal President read the Hearing Instructions to the Detainee and confirmed that the Detainee understood and had no questions.*

Detainee: I don't have any questions. It's good that the Tribunal is here and is looking through my file to decide why I've been here for two or three and half years. It's good that you are doing this.

Tribunal President: Okay.

*The Personal Representative presented the Detainee Election Form (Exhibit D-A) to the Tribunal.*

*The Recorder presented the Unclassified Summary of Evidence (Exhibit R-1) to the Tribunal.*

*The Recorder presented Exhibits R-2 and R-3 into evidence.*

Detainee: These are the accusations that the government gave him (the Recorder) on me.

*The Recorder gave a brief description of the contents of the Unclassified Summary of Evidence (Exhibit R-1).*

*The Recorder confirmed that he had no further unclassified evidence or witnesses and requested a closed Tribunal session to present classified evidence.*

Tribunal President: Juma Din, I understand from referring to the Detainee Election Form, that you requested a witness for this hearing, Mohammed Rasol, is that correct?

Detainee: Yes that is. He is my uncle. I was going to tell my Personal Representative, that I'd need my father and brothers and other people in the tribe as witness, I could give him their names and he said that we don't need all of these people. So I gave him this person as my witness.

Tribunal President: I understand. I requested that the United States government contact the Afghanistan government on or about 28 October 2004. This was about a month ago. As of today, the date of this hearing, we have not received any response from the Afghanistan government. Without the cooperation of the Afghanistan government we are unable to contact your witness and as president I make the ruling that the witness is not reasonably available for this hearing.

Detainee: I did request and if he is not reasonably available, it depends on the Tribunal. I'm here to answer all the accusations. If they are true or untrue and I will speak with the oath or without. However you like is fine with me.



Tribunal President: Very well, we are about to proceed to that portion of the Tribunal at this time. Juma Din, you may now present any evidence you may have to the Tribunal. Your Personal Representative may assist you if you wish.

Detainee: Yes.

Tribunal President: I also understand that you would like to make your statement under oath. Is that correct?

Detainee: Anyway that the Tribunal wants me to do, I will be happy to do it.

Tribunal President: This is your choice and we'll honor that request and decision by asking the Recorder to administer the appropriate oath at this time.

Translator: Can I explain to him that he will repeat after me now?

Tribunal President: That's part of the instructions and I would ask that...

Detainee: You can read me each question and I can swear on each that it is correct or incorrect or I can just do the oath.

Tribunal President: Our procedure is that you will take one oath and then you can address all the accusations later. Recorder, please present the entire oath and instructions to the translator and let him administer that to the Detainee please.

Detainee: In part of the Quran, you start with the name of God as the Merciful and compassionate, if the government has any evidence on my accusations, they can provide that and then I can answer for each as to whether or not I did it or not. I will tell you the truth under the oath for each question. I guarantee 100% that it will be the truth and all truth. If you have any witnesses bring them here and if he swears in front of me that I have done the things in the accusations, he can do it in front of me so I can see it.

Tribunal President: I understand. Recorder, please read the oath.

*The Detainee is given the Muslim.*

Detainee: I will tell you the truth and I won't lie in front of the Tribunal.

Tribunal President: Juma Din, you may proceed with your statement to the Tribunal with the assistance of your Personal Representative.

*3.1. The Detainee reportedly was a main advisor to a Hezb-e-Islami Gulbuddin (HIG) leader.*

*3.2. HIG is a designated terrorist group with long-established links to Usama Bin Laden.*

Detainee: (Referring to the first two allegations) I am telling you, with the swearing of God, one more time that I never was a member of the Hezb-e-Islami Gulbuddin. I have never seen Usama Bin Laden in my life. I have never met with Hezb-e-Islami Gulbuddin in my life and have never been a member of their party. I've never been a member of that organization. I have never been an advisor or any post in that organization. That is the truth. I have never actually been in any coordination with that organization. If the government has any evidence that shows that I was a member or have any link with that organization, please show it to the Tribunal in front of me. I want to see it if they do have any evidence that I was a member of the Islami Gulbuddin.

Personal Representative: The next four (accusations) talk about your brother in law being linked with al Qaida.

*3.3 Detainee is associated with an al Qaida facilitator.*

*3.4. The Detainee lived in the same house with his brother in law, who is the al Qaida facilitator.*

*3.5. The Detainee used a vehicle owned by the al Qaida facilitator.*

*3.6. The Detainee was captured at the suspected al Qaida safehouse in Peshawar, Pakistan.*

Detainee: As for al Qaida, I will explain more. I will tell you that he is my brother in law. But, I will swear that I did not know that he had any relation with al Qaida. I don't have any knowledge of him being a member of al Qaida. I've never actually talked to him on this. I have never been a member of al Qaida. Is my having a relationship with him a crime? He is my brother in law so we do have a relationship. The only relations that we have, is that he is my brother in law and I cannot say that he is not. If I did anything with him as a brother in law, I'm sure that I'm not wrong under any law because we are relatives. Whatever he did, I don't know anything about it. Did you think that I am a criminal because of my relationship with my brother in law? That was a question. Do you think that I am a criminal for having relations with my brother in law?

Tribunal President: This hearing is for you to provide information to us. All we know is what you know. We have not received anything in your file. As we promised, we will review all the information and make a determination if you are properly classified as an Enemy Combatant.

Detainee: As for the car and the house. He is my brother in law and it's his car and the house was my sister's house. So yes, I did those too because we are relatives and whatever we did together was because of my sister. I was living with them in their house because I cannot pay for my rent. I didn't have money to support myself. I was driving their car. She asked me to do it because she has kids and her kids are my kids. She is my sister so I was doing that to make money and support our family.

Personal Representative: You also told me the last time we talked that you only spent a couple of months at this house.



Detainee: Yes, I stayed there for only three months. I just moved there for three months and that was it.

*3.7. The Detainee was arrested with four counterfeit 100 USD bills.*

Detainee: As for counterfeit dollar bills, I can swear that I did not have a single dollar with me. I was a poor person. I was getting money (inaudible). I did not have a single dollar with me so I don't know anything about those four bills. I don't know where they came from. I don't know why they are saying that they captured those bills with me. I have no information about it.

As for keeping relations with my brother in law, I did that because of my religion. In religion we are relatives because he is married to my sister. As for culture, we do keep relations with our relatives and he is my brother in law. So, everything that I did with him, it was for those reasons because we are relatives. Whatever he did separately, I didn't know. They kept me here for two and a half years because of what my brother in law did. I have no knowledge of it. I've never been a member of any organizations or group, rather it's Hczb-c-Islami Gulbuddin or al Qaida or any other group. If the government has any evidence that it can show in any way that I was actually a member of some group or did something with any group, I want to see that. But, I guarantee that they do not have any such evidence, because I never did it. If I never did it and just because of my brother in law, I want the Tribunal to look at the evidence and when you make your decision please don't punish me for what my brother did. Just look at what I have done.

Personal Representative: That was the end of the evidence.

Tribunal President: Juma Din, does that conclude your statement?

Detainee: Yes.

Tribunal President: Personal Representative, do you have any questions for the Detainee?

Personal Representative: No sir.

Tribunal President: Recorder, do you have any questions for Detainee?

Recorder: No sir.

Tribunal President: Does the board have any questions for the Detainee?

Tribunal member's questions

Q. If your uncle were able to come what would he tell us?

A. He can tell you that I am the poorest person in the area and that I make just enough money for daily life. He can tell you if I've been in a fight with anyone and that I've

never been a member of any group or organization. People in the area know about me. Not the U.S. government, they just know what the people told them.

Personal Representative: Also, I have in my notes that your uncle would say that not even he knew your brother in law was part of al Qaida.

Detainee: Yes, he can testify to that too. That we did not know about what our brother in law did or that he had relations with any organizations. He could come and testify, like me, that I never knew anything about that either. Not even my uncle. If you go to my village and ask any person in the village or any person in my tribe, about Juma Din what kind of person he is. They all will testify that he is the poorest person and that he never did anything wrong and that he is a straightforward person. Even in the whole country if you go and look at any evidence if any one person said that whether I was a member or I have relations with any group or organization. If you have evidence that any person said that then yes I will accept whatever the Tribunal's decision is.

Tribunal Member's questions continued

- Q. Number six (*The Detainee was captured at the suspected al Qaida safehouse in Peshawar, Pakistan*) states that your sister's house was a safehouse. Did you ever see any visitors while you were there?
- A. I swear to God that I am telling the truth that she went to this house a month before I went and then I spent three months. We owned this house for a total of four months. In that house, nobody else stayed there either from any group or any other person. It was just us in that house.
- Q. Your brother in law, do you know what work he did and did you ever see him with his occupation?
- A. I don't have any knowledge of what he was doing. I was living separately and my sister was in a separate house and we were both paying rent so she asked why I was paying rent separate, just come and live with us. You can drive our car and make money. This way you can give me some money to support my kids and my family also. So that's what I did. I moved there and lived with her and I was using the car as a taxi to make some money and provide support to her. So, I have no knowledge of what my brother in law was doing. He never supported me. He was just staying home. I don't know why they captured me because of him.
- Q. Was the brother in law staying home too or was he out during the day?
- A. I'm sure that he was home but I was leaving the house in the early morning with the taxi and came home in the evening time. When I left in the morning, he was home and in the evening when I returned he was still at home. I don't know if during the daytime he went anywhere.

- Q. You said that you didn't have a single dollar with you when you captured. I want to know whether you ever saw counterfeit hundred dollar bills just around the house?
- A. No, I never seen them. No counterfeit or real money in my house. Those are not mine and I don't have knowledge where they came from.
- Q. When did your sister get married to your brother in law?
- A. I've been here for two years and it was before I got captured, so around three and half years ago. I don't know the exact date because we don't write the dates back home but it was around this three year period.
- Q. Did you know or meet your brother in law at the wedding or after?
- A. It was my luck that I met him and started living with him. Before, I had never met him and I don't know what he was doing or where he was.
- Q. Is your brother in law from Pakistan?
- A. No.
- Q. So, your sister and brother in law moved from Afghanistan to Pakistan?
- A. The marriage was held in Pakistan. They were living in Pakistan for a long time. They were <sup>in</sup> Pakistan not in Afghanistan.
- Q. I would like to know more about the circumstances of your arrest. Did they come to your house? Did they get you in your car? I'd like to know a little bit more about your circumstances of arrest if you could explain.
- A. I was sleeping in my house with my family, with my kids, and then I heard a knock at the door around midnight or maybe two o'clock, I didn't look at the clock. I opened the door and they just handcuffed me and put me in the jail in Pakistan and I was there for four months. Then from there they brought me to Bagram, Afghanistan and from Bagram they brought me here. I didn't know the whole time, why they captured me or why they've been holding me.

Tribunal President: (To the Tribunal Panel) Any follow up questions?

Detainee: You can ask me any questions now or if anyone has a question after, you can bring me anytime, I won't mind.

Tribunal President: Okay.

Detainee: All the time I've spent in a jail, the last two and half years, I do not have any bad feelings against anyone like the United States or any person. I think it was my luck. It was everything from the God and he probably will right my life.

Tribunal Member's questions continued

Q. Did your brother in law get arrested at the same time you did?

A. I don't know. I never see him. Nobody got arrested with me in that house. It was just me.

Q. Was it a Pakistani who arrested you or somebody else?

A. It was Pakistani government.

Tribunal President: Juma Din, do you have any other evidence to present to this Tribunal?

Detainee: No, I'm here and you ask me any questions about my evidence that I can tell you but other than that I have nothing else to say. If you think about that I have lied in speech here today or you have doubt about it you can go to my country and I'm living in Luniston (ph) in Afghanistan, which is far on the border and it's hard to get into it.

*The Tribunal President confirmed that the Personal Representative had no further evidence to present and that the Detainee had no previously approved witnesses to present to the Tribunal and closed the open session.*


*The Tribunal President began explaining the remainder of the Tribunal process to the Detainee. When informed that if he was determined to be a Non-Enemy Combatant by the Tribunal that arrangements will be made to return him to his home of record, the Detainee made the following statement*

Detainee: That's good. If they do, then send me home. The Enemy Combatants should be people that fight against the United States and did harm to the U.S. or it's allies, not anybody else.

*The Tribunal President continued to explain the remainder of the Tribunal process to the Detainee and adjourned the open session.*

AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.

  
Colonel, USAF

Tribunal President

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